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EXAMINER

NGUYEN, DUC MINH

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 12/20/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

GM

Office Action Summary

Application No.

09/240,893

Applicant(s)

TERRY, ALEX

Examiner

Duc M Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-22, 27, 30, 32-35, 37, 38 and 45-56 is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) ____ is/are allowed.

- 6) ☒ Claim(s) 1-15, 17-22, 27, 30, 32-35, 37, 38 and 45-56 is/are rejected.

- 7) ☐ Claim(s) ____ is/are objected to.

- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 45-46, 48, 51 are rejected under 35 U.S.C. 102(e) as being anticipated by Crooks et al (5,943,656).

Consider claims 45-46, 51. Crooks teaches a method for providing a user online access to billing records related to the user (see the entire abstract), comprising storing the billing records in a database (see the entire abstract; col. 4, ln. 42 to col. 5, ln. 12); receiving a command from the user over a data network (see the entire abstract; col. 4, ln. 42 to col. 5, ln. 12); searching the data base for individual billing records related to the user according to the command received from the user (see the entire abstract; col. 4, ln. 42 to col. 5, ln. 12); and displaying results of the searching to the user over the data network (fig. 11-12).

Consider claim 48. (Col. 3, ln. 22-28) reads on the limitations of claim 48.

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3. Claims 53-56 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Neil (6,226,364).

Consider claims 53-54, 56. O'Neil teaches an apparatus comprising a billing server for maintaining a database of transaction records (col. 5, ln. 15-25; col. 6, ln. 10-48) relating a user, at least some of the transaction records relating to a service provided (telephone service) to the user; the billing server including an event monitor (col. 5, ln. 15-25; col. 6, ln. 10-48), the event monitor being configured to determine whether the transaction records meet a user specified criteria (the prepaid or postpaid balance in the account is equal to or exceeds the credit limit; col. 5, ln. 15-25; col. 6, ln. 10-48), and to disable (disconnection command) the service when the user specified criteria is satisfied.

Consider claim 55. The event monitor is further configured to provide an alert (col. 5, ln. 52-62) to the user when the user specified criteria is satisfied.

Claim Rejections - 35 U.S.C. § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-11, 14-15, 17-20, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering (5,483,445) in view of Crooks et al (5,943,656).

Consider claims 1, 5-11, 14-15, 17-20. Pickering teaches an apparatus for presenting and monitoring telecommunication transaction associated with a plurality of differing communication devices, comprising a billing server (financial institution computer 210); and a server (communication manager 215). The prescribed data distinguishes between a first and a second telecommunication transaction information associated with a first one of the plurality of differing communication devices, and a second one of the plurality of differing communication devices is inherently met due to the fact that the prescribed data must be unique so that the billing server distinguishes the difference from one record to the other in order to provide the user with the correct record. Furthermore, the examiner takes official notice that it was notoriously well known in the art of telephone billing that CDR data is produced automatically by the telephone switching system, such data may include telephone number of the calling party, the telephone number to which the call is being placed, various time points representing the progress of the call between origination and the disconnection (e.g., usage time). It would have been obvious to one skilled in the art at the time the invention was made to create a call detail record which includes the above mentioned information (e.g., a CDR having billable time, and billing identifier associated with the originator) in order to accurately generate telephone bills which are periodically sent to the subscribers.

Pickering does not teach that the above system utilized in the Internet environment.

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Crooks teaches the use of data terminal (personal computer) connected to a web server (host system) in order to gain access to the host computer and download data/information from there (col. 4, line 42 to col. 5, line 12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Crooks into the teachings of Pickering in order to conveniently provide customer with in-home banking, paying bill without leaving the house.

Consider claims 2-3. Pickering teaches the plurality of communication devices comprise telephone, and set top receiver (cable box) (see figure 7).

Consider claim 4. Pickering teaches the plurality of communication devices comprise telephone, and set top receiver (cable box) (see figure 7).

Consider claim 27. Pickering teaches an apparatus for presenting and monitoring telecommunication transaction associated with a plurality of differing communication devices, comprising a billing server (financial institution computer 210); and a server (communication manager 215). The prescribed data distinguishes between a first and a second telecommunication transaction information associated with a first one of the plurality of differing communication devices, and a second one of the plurality of differing communication devices is inherently met due to the fact that the prescribed data must be unique so that the billing server distinguishes the difference from one record to the other in order to provide the user with the correct record.

Pickering does not teach that the above system utilized in the Internet environment.

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Crooks teaches the use of data terminal (personal computer) connected to a web server (host system) in order to gain access to the host computer and download data/information from there (col. 4, line 42 to col. 5, line 12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Crooks into the teachings of Pickering in order to conveniently provide customer with in-home banking, paying bill without leaving the house.

6. Claims 12-13, 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering (5,483,445) in view of Crooks et al (5,943,656) as applied to claims 1, 6-11, 14, 18-20 above, and further in view of Syeda-Mahmood (5,983,218).

Consider claims 12, 21-22. Pickering in view of Crooks does not teach that the database is accessed by an Open Database Connectivity (ODBC) compatible query.

Syeda-Mahmood teaches the use of Open Database Connectivity (ODBC) compatible query (column 1 line 10 to column 2 line 31).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Syeda-Mahmood into the teachings of Pickering in view of Crooks in order to enable multivendor database connectivity so that customer can access into different databases using the same computer equipment.

Consider claim 13. It would have been obvious to one of ordinary skill in the art that the prescribed data must be unique so that the billing server distinguishes the difference from one

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record to the other in order to provide the user with the correct record. Furthermore, the examiner takes official notice that it was notoriously well known in the art of telephone billing that CDR data is produced automatically by the telephone switching system, such data may include telephone number of the calling party, the telephone number to which the call is being placed, various time points representing the progress of the call between origination and the disconnection (e.g., usage time)

7. Claims 30, 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering (5,483,445) in view of Crooks et al (5,943,656) as applied to claim 27 above, and further in view of Flood (5,864,613).

Consider claim 30. Pickering in view of Crooks does not teach the step of providing the user with a customized event monitor, the event monitor alerting the user when telephone transactions meet a specified criteria.

Flood teaches a long distance transaction event monitor, the event monitor comprising an interface (column 4 lines 8-18); query logic and event monitor (switch intelligence 110 which includes computer system 200; see the abstract; column 1 line 66 to column 2 line 8; column 2 line 60 to column 3 line 10; column 3 line 22 to column 4 line 6 line 5; column 7 line 66 to column 8 line 49).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Flood into the teachings of Pickering in view of Crooks in order to effectively control the cost of telephone usage.

Consider claims 32-34. The examiner takes official notice that it was notoriously well known in the art of telecommunications to use Netscape or Internet Explorer for the purposes of retrieving WWW documents specified by Uniform Resource Locators (URLs) from a HyperText Transfer Protocol (HTTP) server. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Netscape or Internet Explorer as web browsers in order to view and possibly edit a file of data on screen similar to handling text in a word processing document.

Consider claim 35. Flood further illustrates in figures 5A-C that the event monitor (104 or computer system 200; see figures 1-2) automatically detects telephone transactions that meet the specified criteria (see steps 502-568).

8. Claims 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering (5,483,445) in view of Crooks et al (5,943,656) and Flood (5,864,613) as applied to claims 27, 30 above, and further in view of Moller et al (5,805,686).

Consider claims 37-38. Pickering in view of Crooks and Flood do not teach that the alert messages comprise E-mail or fax alerts.

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Moller teaches a telephone fraud detection system in which the alert messages comprise E-mail or fax alerts (column 4 lines 18-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Moller into the teachings of Pickering in view of Crooks and Flood in order to quickly inform customer of possible fraud events.

9. Claims 47, 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crooks et al (5,943,656) in view of Pickering (5,483,445).

Consider claims 47, 49. Crooks does not teach the billing records are telecommunication billing records.

Pickering teaches the billing records are telecommunication billing records (see fig. 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Pickering into the teachings of Crooks in order to conveniently provide customer with in-home banking, paying bill without leaving the house.

10. Claims 50, 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crooks et al (5,943,656) in view of O'Neil (6,226,364).

Consider claim 50. Crooks does not teach the event monitor is further configured to provide an alert to the user when the user specified criteria is satisfied.

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O'Neil teaches the event monitor is further configured to provide an alert (col. 5, ln. 52-62) to the user when the user specified criteria is satisfied.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of O'Neil into the teachings of Crooks in order to provide cellular telephone services in a manner that encourages cellular telephone service customers that subscribe to advanced services to prepay for telephone service and to limit the amount of credit that they are extended for using telephone services.

Consider claim 52. O'Neil further teaches a billing server including an event monitor (col. 5, ln. 15-25; col. 6, ln. 10-48), the event monitor being configured to determine whether the transaction records meet a user specified criteria (the prepaid or postpaid balance in the account is equal to or exceeds the credit limit; col. 5, ln. 15-25; col. 6, ln. 10-48), and to disable (disconnection command) the service when the user specified criteria is satisfied.

Response to Arguments

11. Applicant's arguments filed 09/28/01 have been fully considered but they are not persuasive.

Regarding the Pickering reference, applicant states "Pickering does not appear to even store detailed billing records. Instead, Pickering appears to receive and store only consolidated statement information for each of a plurality of companies." Pickering clearly teaches "the processing office or facility holds the billing information data in time suspense until all of the

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billing information for the customer during a pre-selected time period is received.” (Col. 1, ln. 55 to col. 2, ln. 6). It is noted that billing information is the detailed billing records.

Regarding the Crooks reference, applicant states “Crooks lacks any suggestion of permitting the user to search for select billing records over a data network using a web browser.” In contrast to applicant’s assertions, Crooks clearly teaches “the billable entity is provided with remote electronic access to the billing information in the host computer and can authorization payment thereof.” (Col. 2, ln. 1-3; col. 4, ln. 42 to col. 5, ln. 12). It is noted that the billable entity would be individual customer or corporations/businesses customer (col. 1, ln. 20-40).

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (703) 308-7527.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Kuntz, can be reached on (703) 305-4708.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-6306 or (703) 308-6296 (Group's Fax numbers)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

December 7, 2001


DUC NGUYEN
PRIMARY EXAMINER